

REMARKS/ARGUMENTS

Claims 19, 20, 22-40 and 42-52 are pending. By this Amendment, claims 21 and 42 are cancelled, and claims 19, 27-29, 40 and 43 are amended. Support for the amendments to claims 19, 27-29, 40 and 43 can be found, for example, in original claims 19, 27-29, 40 and 43. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Allowable Subject Matter

Applicants thank the Examiner for the indication in the Office Action that claims 41, 42 and 48 contain allowable subject matter.

Outstanding Rejections

Applicants note that the Office Action indicates that claims 41, 42 and 48 are allowable (*see* Office Action, page 6), and also indicates that the rejections of, *inter alia*, claims 41, 42 and 48 are maintained (*see* Office Action, page 2). Applicants have assumed, for the purposes of this response, that the indication that the rejections of claims 41, 42 and 48 are maintained was made in error. Applicants note that all pending claims recite a ratio of alkyl para-hydroxybenzoate to lipophilic amino acid ester that the Office Action indicates the cited references do "not teach, suggest, or make obvious." *See* Office Action, page 6. Accordingly, Applicants submit that all pending claims are allowable.

Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 19-39 and 49-52 as indefinite under 35 U.S.C. §112, second paragraph. By this Amendment, claim 21 is cancelled, rendering the rejection moot as to that claim, and claim 19 is amended to obviate the rejection. Claims 20, 22-39 and 49-

Application No. 10/537,288  
Reply to Office Action of October 3, 2007

52 are rejected solely for their dependency from claim 19. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 U.S.C. §103

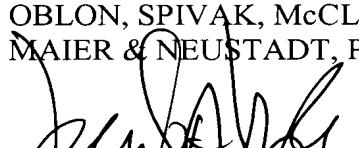
The Office Action rejects claims 40 and 43-47 under 35 U.S.C. §103(a) over EP 0 538 764 A1 to Hattori et al. ("Hattori"). By this Amendment, claims 40 and 43 are amended to incorporate the allowable features of claim 41. Claims 44-47 depend from claim 43 and, thus, are also allowable. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

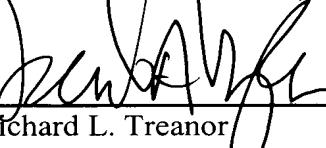
Conclusion

For the foregoing reasons, Applicants submit that claims 19, 20, 22-40 and 42-52 are in condition for allowance. Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Richard L. Treanor  
Attorney of Record  
Registration No. 36,379

  
Jacob A. Doughty  
Registration No. 46,671

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)